

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**: CIVIL NO: C-1-00-277
: JUDGE WEBER
: MAGISTRATE JUDGE HOGAN**

**KIM GABBARD,
aka KIM E. GABBARD,**

Defendant.

**PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE
WITH MEMORANDUM OF SUPPORT**

Plaintiff, the United States of America, respectfully petitions this Court for an Order to Show Cause why Defendant, Kim Gabbard should not be held in contempt of this Court for failure to abide by a valid court order.

The grounds for said motion are more fully set forth in the accompanying Memorandum in Support.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/ Deborah F. Sanders
DEBORAH F. SANDERS (0043575)
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MEMORANDUM IN SUPPORT

The United States of America has previously obtained a judgment in this Court against judgment debtor. This judgment has not been paid in full.

On January 4, 2005, this Court issued its Order commanding Defendant, Kim Gabbard to appear before this Court for a judgment debtor examination on Thursday, February 17, 2005 at U.S. District Court, 100 East Fifth Street, Hearing Room #701 - 7th Floor, Cincinnati, Ohio 45202 at 10:00 a.m. A copy of that Order was served on the Defendant by mailing the same to the Defendant by first class mail, postage prepaid. Defendant failed to appear as ordered. Defendant has not appeared at any time since nor communicated any valid reason for not appearing, nor filed any objections, nor obtained an extension of time.

THEREFORE, Plaintiff prays that an Order be issued causing Defendant is to appear before this Court at the time fixed in said Order, to show cause why he/she should not be held in contempt of this Court's Order.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/ Deborah F. Sanders

DEBORAH F. SANDERS (0043575)
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CERTIFICATE OF SERVICE

A true copy of the above and foregoing Motion for Order to Show Cause was filed using the CM/ECF system and mailed, to Kim Gabbard, Defendant, 4510 E. Galbraith Rd., Cincinnati, OH 45236, by first class mail, postage prepaid, this ___16th___ day of _____March_____, 2005.

s/ Deborah F. Sanders

DEBORAH F. SANDERS (0043575)
Assistant United States Attorney